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**APPLICATION NUMBER: 60/530,555**

**FILING DATE: *December 17, 2003***

**RELATED PCT APPLICATION NUMBER: *PCT/US04/42504***



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**PROVISIONAL APPLICATION FOR PATENT COVER SHEET**

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

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Additional inventors are being named on the <u>2</u> separately numbered sheets attached hereto					
TITLE OF THE INVENTION (500 characters max)					
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ENCLOSED APPLICATION PARTS (check all that apply)					
<input checked="" type="checkbox"/> Specification Number of Pages <u>9</u>		<input type="checkbox"/> CD(s), Number _____			
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<input type="checkbox"/> Application Date Sheet. See 37 CFR 1.76					
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.				FILING FEE Amount (\$)	
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The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input checked="" type="checkbox"/> No.					
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[Page 1 of 2]

Respectfully submitted

SIGNATURE

TYPED or PRINTED NAME Peter J. PhillipsTELEPHONE (212) 278-0400Date December 17, 2003REGISTRATION NO. 29,691

(if appropriate)

Docket Number: 71131-Pro/JPW/PJP**USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT**

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Provisional Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Docket Number** 0575/71131/JPW/PJP

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[Page 2 of 2]

Number 2 of 2

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Peter R. Brink, Ira S. Cohen, Richard B.  
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Serial No. : Not yet assigned

Filed : December 17, 2003

For : **Delivery Of DNA Or RNA Via Gap Junctions From  
Host Cells To Target Cells And A Cell-Based  
Delivery System For Antisense Or siRNA**

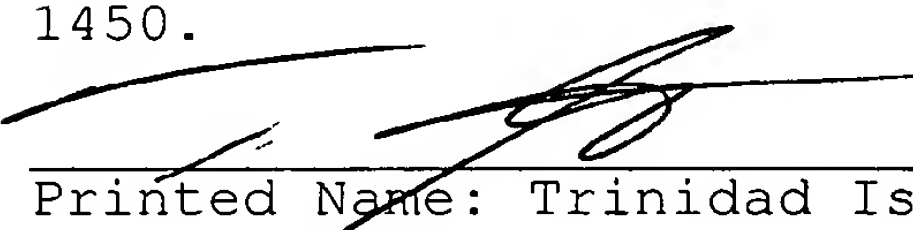
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*Application*  
*for*  
*United States Letters Patent*

*To all whom it may concern*

*Be it known that*

PETER R. BRINK; IRA S. COHEN; RICHARD B. ROBINSON;  
MICHAEL R. ROSEN

*have invented certain new and useful improvements in*

DELIVERY OF DNA OR RNA VIA GAP JUNCTIONS FROM HOST CELLS TO  
TARGET CELLS AND A CELL-BASED DELIVERY SYSTEM FOR  
ANTISENSE OR siRNA

*of which the following is a full, clear and exact description*

5 DELIVERY OF DNA OR RNA VIA GAP JUNCTIONS FROM HOST CELLS TO  
TARGET CELLS AND A CELL-BASED DELIVERY SYSTEM FOR ANTISENSE OR  
siRNA

10 Statement of Federally Sponsored Research or Development

Work on this invention was sponsored by NHLBI, NIH(GMs) under  
award number HL-28958, GM-55263.

15 Background of the Invention

}

Throughout this application, various publications may be  
20 referenced to as footnotes or within parentheses. Disclosures  
of these publications in their entireties are hereby  
incorporated by reference into this application to more fully  
describe the state of the art to which this invention  
pertains. Full bibliographic citations for these references  
25 may be found at the end of this application, preceding the  
claims.

As described in commonly owned prior application U.S. Serial  
No. 10/342,506, filed January 15, 2003, and in publications  
30 (1,2), incorporated by reference herein, stem cells have been  
used to form gap junctions with target tissues, and they can  
influence the activity of the target tissues by delivering  
gene products or small molecules. However, nucleotides in the  
form of RNA antisense, or DNA, have not been delivered by host  
35 cells (such as human mesenchymal stem cells (hMSCs)) to target  
tissues.

5     Summary of the Invention

According to the present invention, RNA can be passed through gap junctions so that engineered cells can be used to deliver RNA to target cells.

10

According to the present invention, oligonucleotides both single and double stranded can be passed through gap junctions formed by C x 43 in HELA cell pairs, as demonstrated by a single electrode delivery of fluorescent-tagged  
15 oligonucleotides to a donor cell and determining their transfer to the target cell via gap junction mediated communication. Accordingly, the invention provides for delivery of oligonucleotides to target cells using any donor cell that forms gap junctions.

20

According to the invention, a method of delivering an oligonucleotide or a plasmid expressing an oligonucleotide into a target cell is provided, comprising introducing an oligonucleotide into a donor cell, and contacting the target  
25 cell with the donor cell under conditions permitting the donor cell to form a gap junction with the target cell, whereby the oligonucleotide or a product of the oligonucleotide is delivered into the target cell from the donor cell.

30

According to the present invention, a method of delivering an oligonucleotide into a target cell is provided, comprising introducing an oligonucleotide into a human mesenchymal stem cell or other donor cell, and contacting the target cell with the human mesenchymal stem cell or other donor cell under  
35 conditions permitting the donor cell to form a gap junction with the target cell, whereby the oligonucleotide or its peptide product is delivered into the target cell from the



5 donor cell.

According to the present invention, a method of delivering an oligonucleotide into a syncytial target cell is provided, comprising introducing an oligonucleotide into a donor cell,  
10 and contacting the syncytial target cell with the donor cell under conditions permitting the donor cell to form a gap junction with the syncytial target cell, whereby the oligonucleotide is delivered into the syncytial target cell from the donor cell.

15

According to the present invention, a method of delivering RNA into a target cell is provided, comprising introducing RNA or a plasmid for RNA into a donor cell, and contacting the target cell with the donor cell under conditions permitting the donor  
20 cell to form a gap junction with the target cell, whereby the RNA is delivered into the target cell from the donor cell.

According to the present invention, a method of delivering DNA into a target cell is provided, comprising introducing DNA or  
25 a plasmid encoding for DNA into a donor cell, and contacting the target cell with the donor cell under conditions permitting the donor cell to form a gap junction with the target cell, whereby the DNA is delivered into the target cell from the donor cell.

30

The invention provides a useful treatment in which down regulation of gene activity is desirable (e.g., cancer).

As compared to prior methods wherein delivery of RNA or  
35 antisense to target cells is done by a naked plasmid, in the present invention the delivery is via cells, and the transfection rate should be much higher.

### Description of the Drawings

**Figure 1a** shows a 12 member single stranded oligonucleotide  
10 passing through gap junction channels composed of connexin 43.

**Figure 1b** shows a 16 member single stranded oligonucleotide  
passing through gap junction channels composed of connexin 43.

15 **Figure 1c** shows a 24 member single stranded oligonucleotide  
passing through gap junction channels composed of connexin 43.

**Figure 1d** shows a 24 member double stranded oligonucleotide  
passing through gap junction channels composed of connexin 43.

20

**Figure 2a** shows a summary of the data where the x-axis is the  
length of the oligonucleotide, and the y-axis is the relative  
intensity of the fluorescent tag in the recipient cell (the  
cell on the left in all of the examples of Figure 1) 12  
25 minutes after delivery of the oligonucleotide to the source  
cell.

**Figure 2b** is a graphic representation of junctional  
conductance on the x-axis versus relative intensity of the  
30 fluorescent tag on the y-axis.

## 5 Description of the Invention

According to the invention, a method of delivering an oligonucleotide or a plasmid expressing an oligonucleotide into a target cell is provided, comprising introducing an  
10 oligonucleotide into a donor cell, and contacting the target cell with the donor cell under conditions permitting the donor cell to form a gap junction with the target cell, whereby the oligonucleotide or a product of the oligonucleotide is delivered into the target cell from the donor cell.

15

The oligonucleotide may be RNA that can traverse the gap junction or be transcribed into a peptide that can traverse the gap junction. The oligonucleotide may be DNA. The oligonucleotide may be an antisense oligonucleotide or a cDNA  
20 that produces an antisense oligonucleotide that can traverse the gap junction. The oligonucleotide may be a siRNA oligonucleotide or a cDNA that produces a siRNA oligonucleotide that can traverse the gap junction. The oligonucleotide may be a DNA or RNA that produces a peptide  
25 that can traverse the gap junction. The plasmid may encode siRNA. The oligonucleotide may comprise 12-24 members. The donor cell may be a human mesenchymal stem cell. The donor cell may be a cell containing or engineered to contain connexin proteins. The target cell may be a cell comprising a  
30 syncytial tissue, which may be a cardiac myocyte, a smooth muscle cell, an epithelial cell, a connective tissue cell, or a syncytial cancer cell. The target cell may be a white blood cell.

35 The gap junction channels may be composed of one or more of connexin 43, connexin 40, connexin 45, connexin 32 and connexin 37.

5

According to the present invention, a method of delivering an oligonucleotide into a target cell is provided, comprising introducing an oligonucleotide into a human mesenchymal stem cell or other donor cell, and contacting the target cell with  
10 the human mesenchymal stem cell or other donor cell under conditions permitting the donor cell to form a gap junction with the target cell, whereby the oligonucleotide or its peptide product is delivered into the target cell from the donor cell.

15

According to the present invention, a method of delivering an oligonucleotide into a syncytial target cell is provided, comprising introducing an oligonucleotide into a donor cell, and contacting the syncytial target cell with the donor cell  
20 under conditions permitting the donor cell to form a gap junction with the syncytial target cell, whereby the oligonucleotide is delivered into the syncytial target cell from the donor cell.

25 According to the present invention, a method of delivering RNA into a target cell is provided, comprising introducing RNA or a plasmid for RNA into a donor cell, and contacting the target cell with the donor cell under conditions permitting the donor cell to form a gap junction with the target cell, whereby the  
30 RNA is delivered into the target cell from the donor cell.

According to the present invention, a method of delivering DNA into a target cell is provided, comprising introducing DNA or a plasmid encoding for DNA into a donor cell, and contacting  
35 the target cell with the donor cell under conditions permitting the donor cell to form a gap junction with the target cell, whereby the DNA is delivered into the target cell

5 from the donor cell.

The present invention provides a way to pass oligonucleotides (DNA and/or RNA fragments) through gap junction channels. This has been demonstrated in experiments where gap junction  
10 channels composed of connexin43 (Cx43) were used in a HeLa cell line.

The experiments determined that oligocomplexes such as DNA or RNA sequences of defined length are able to pass through a gap  
15 junction channel. DNA or RNA forms alpha helixes in solution with minor diameters of 0.9-1.0 nm. Oligonucleotides in the 12-24 member size range are of particular interest. Unique sequences of DNA which could not be broken down into smaller fragments were tagged with a fluorescent probe from  
20 Morpholino, a company which specializes in the manufacture of oligo sequences.

The experiments were conducted with a 12 member oligonucleotide, a 16 member oligonucleotide and a 24 member  
25 oligonucleotide. The results demonstrated that all three single stranded forms pass through gap junction channels composed of Cx43 (Figure 1a, b, and c). Further, two 12 member compliments were hybridized producing a double stranded form and its passage was measured (Figure 1d). The double  
30 stranded version has only a small increase in its minor diameter.

Figure 2A shows a summary of the data where the X-axis is the length of the oligonucleotide. The hybridized 12 member  
35 oligonucleotide is plotted out of sequence on the X-axis. The Y-axis is the relative intensity of the fluorescent tag in the recipient cell (the cell on the left in all of the examples of

5 Figure 1) 12 minutes after delivery of the oligonucleotide to  
the source cell. For each oligonucleotide the individual  
experimentally derived values are shown along with the mean  
and standard deviation for each oligonucleotide. In a number  
of experiments junctional conductance and the transfer of  
10 fluorescently labeled oligonucleotide were monitored  
simultaneously.

Figure 2B is a graphic representation of junctional  
conductance on the X-axis versus relative intensity of the  
15 fluorescent tag on the Y-axis. For comparison the  
conductance-intensity relationship for Lucifer Yellow passage  
through Cx43 gap junction channels is shown (Valiunas et al.,  
2002) (2). In all cases the relative intensity, which  
represents the transfer rate from one cell to another, is 5-10  
20 times less than the Lucifer Yellow fluorescence intensity in  
recipient cells. This lower transfer rate is consistent with  
the rod-like dimensions of the oligonucleotide, whose minor  
diameter is 1.0 nm, being less mobile in solution than Lucifer  
Yellow.

25

These observations demonstrate that gap junction channels are  
a feasible delivery port for molecules such as silencing RNA  
(siRNA) or any other molecule of similar dimension.

30 We have previously demonstrated that hMSCs make gap junctions  
with each other and target cells. We have also demonstrated  
previously that one can load plasmids into stem cells by  
electroporation. The present results demonstrate that any  
donor cell type which forms gap junctions with another target  
35 cell type (this includes hMSCs as potential donor or target  
cells) can be used as a vehicle to deliver RNA or DNA.



5    **References**

1.    Plotnikov   AN,   Shlapakova   IN,   Danilo   P   Jr,   Herron  
A, Potapova   I,   Lu   Z,   Valiunas   V,   Doronin   S,   Brink   PR,  
Robinson   RB,   Cohen   IS,   Rosen   MR: Human mesenchymal stem  
10    cells transfected with HCN2 as a gene delivery system to  
induce pacemaker function in canine heart.    Circulation  
108: IV-547, 2003.
  
2.    Valiunas et al., 2002 Cardiac gap junction channels  
15    show quantitative differences in selectivity. Cir. Res.  
91:104-111

5    **We claim:**

1.    A method of delivering an oligonucleotide or a plasmid expressing an oligonucleotide into a target cell comprising:

10

a) introducing an oligonucleotide into a donor cell; and

15

b) contacting the target cell with the donor cell under conditions permitting the donor cell to form a gap junction with the target cell, whereby the oligonucleotide or a product of the oligonucleotide is delivered into the target cell from the donor cell.

20

2.    The method of claim 1, wherein the oligonucleotide is RNA that can traverse the gap junction or be transcribed into a peptide that can traverse the gap junction.

25

3.    The method of claim 1, wherein the oligonucleotide is DNA.

30

4.    The method of claim 1, wherein the oligonucleotide is an antisense oligonucleotide or a cDNA that produces an antisense oligonucleotide that can traverse the gap junction.

35

5.    The method of claim 1, wherein the oligonucleotide is a siRNA oligonucleotide or a cDNA that produces a siRNA oligonucleotide that can traverse the gap junction.

6.    The method of claim 1, wherein the oligonucleotide is a DNA or RNA that produces a peptide that can traverse the gap junction.

5

7. The method of claim 1, wherein the plasmid encodes siRNA.

10

8. The method of claim 1, wherein the oligonucleotide comprises 12-24 members.

9. The method of claim 1, wherein the donor cell is a human mesenchymal stem cell.

15

10. The method of claim 1, wherein the donor cell is a cell containing or engineered to contain connexin proteins.

11. The method of claim 1, wherein the target cell is a cell comprising a syncytial tissue.

20

12. The method of claim 11, wherein the syncytial tissue is selected from the group consisting of a cardiac myocyte, a smooth muscle cell, an epithelial cell, a connective tissue cell, and a syncytial cancer cell.

25

13. The method of claim 1, wherein the target cell is a white blood cell.

30

14. The method of claim 1, wherein the gap junction channels are composed of connexin 43.

15. The method of claim 1, wherein the gap junction channels are composed of connexin 40.

35

16. The method of claim 1, wherein the gap junction channels are composed of connexin 45.

5        17.        The method of claim 1, wherein the gap junction channels are composed of connexin 32.

18.        The method of claim 1, wherein the gap junction channels are composed of connexin 37.

10

19.        The method of claim 1, wherein the gap junction channels are composed of at least two of connexin 43, connexin 40, connexin 45, connexin 32 and connexin 37.

15

20.        A method of delivering an oligonucleotide into a target cell comprising:

          a) introducing an oligonucleotide into a human mesenchymal stem cell or other donor cell; and

20

          b) contacting the target cell with the human mesenchymal stem cell or other donor cell under conditions permitting the donor cell to form a gap junction with the target cell, whereby the oligonucleotide or its peptide product is delivered into the target cell from the donor cell.

25

21.        A method of delivering an oligonucleotide into a syncytial target cell comprising:

30

          a) introducing an oligonucleotide into a donor cell; and

          b) contacting the syncytial target cell with the donor cell under conditions permitting the donor cell to form a gap junction with the syncytial target cell ,

35

5           whereby the oligonucleotide is delivered into the  
            syncytial target cell from the donor cell.

22.       A method of delivering RNA into a target cell  
            comprising:

10

a) introducing RNA or a plasmid for RNA into a donor  
cell; and

15

b) contacting the target cell with the donor cell under  
conditions permitting the donor cell to form a gap  
junction with the target cell, whereby the RNA is  
delivered into the target cell from the donor cell.

20

23.       A method of delivering DNA into a target cell  
            comprising:

a) introducing DNA or a plasmid encoding for DNA into a  
donor cell; and

25

b) contacting the target cell with the donor cell under  
conditions permitting the donor cell to form a gap  
junction with the target cell, whereby the DNA is  
delivered into the target cell from the donor cell.

5 DELIVERY OF DNA OR RNA VIA GAP JUNCTIONS FROM HOST CELLS TO  
TARGET CELLS AND A CELL-BASED DELIVERY SYSTEM FOR ANTISENSE OR  
siRNA

Abstract of the Disclosure

10

A method of delivering an oligonucleotide or a plasmid  
expressing an oligonucleotide into a target cell comprises  
introducing an oligonucleotide into a donor cell, and  
contacting the target cell with the donor cell under  
15 conditions permitting the donor cell to form a gap junction  
with the target cell, whereby the oligonucleotide or a product  
of the oligonucleotide is delivered into the target cell from  
the donor cell.



**HeLa Cx43**

**12 min**

**1 min**

**A:**  
**12 mer**  
5/8/03 - 4



**B:**  
**16 mer**  
5/13/03 - 5



**C:**  
**24 mer**  
6/3/03 - 4



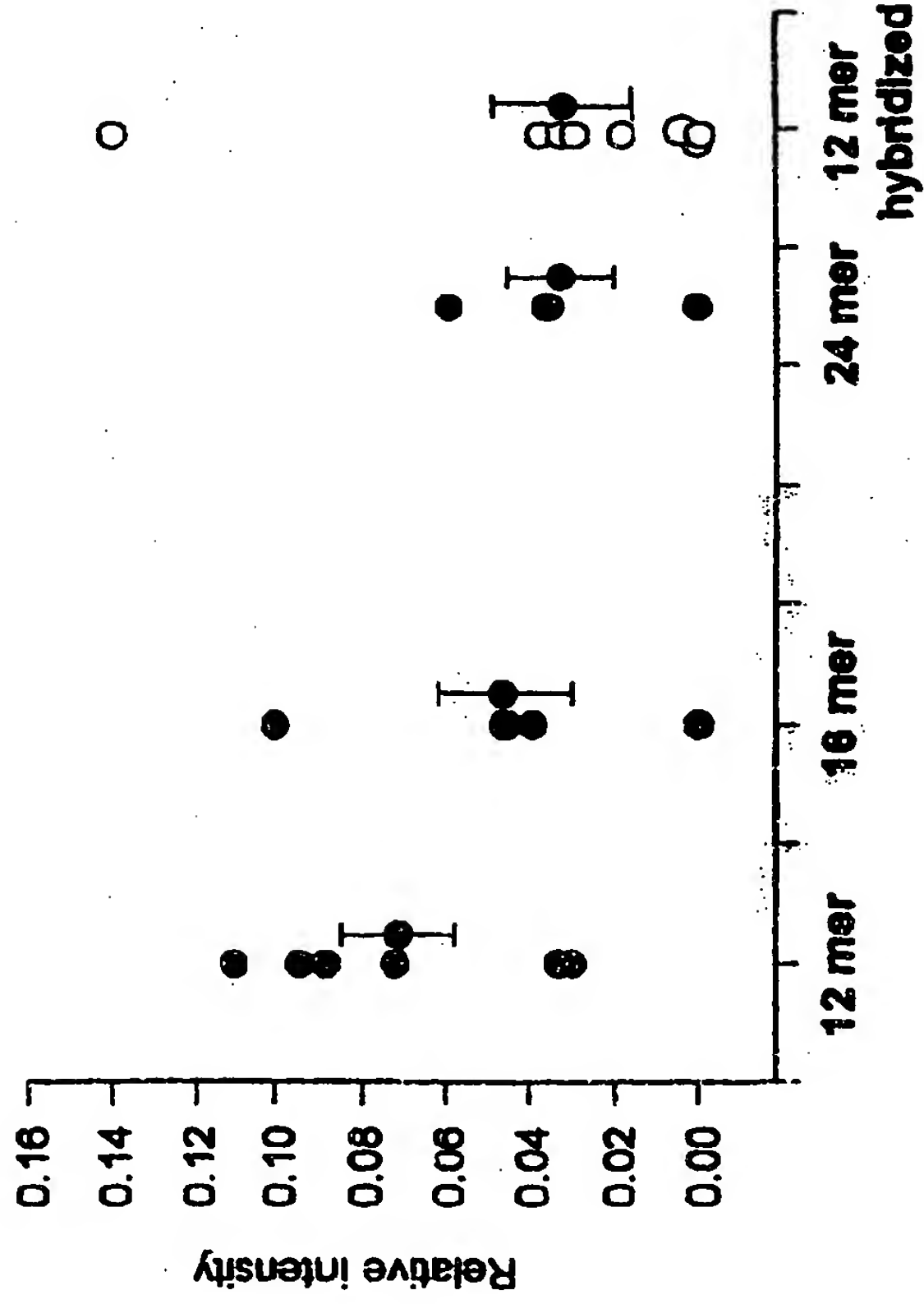
**D:**  
**12 mer**  
**hybridized**  
7/22/03 - 3



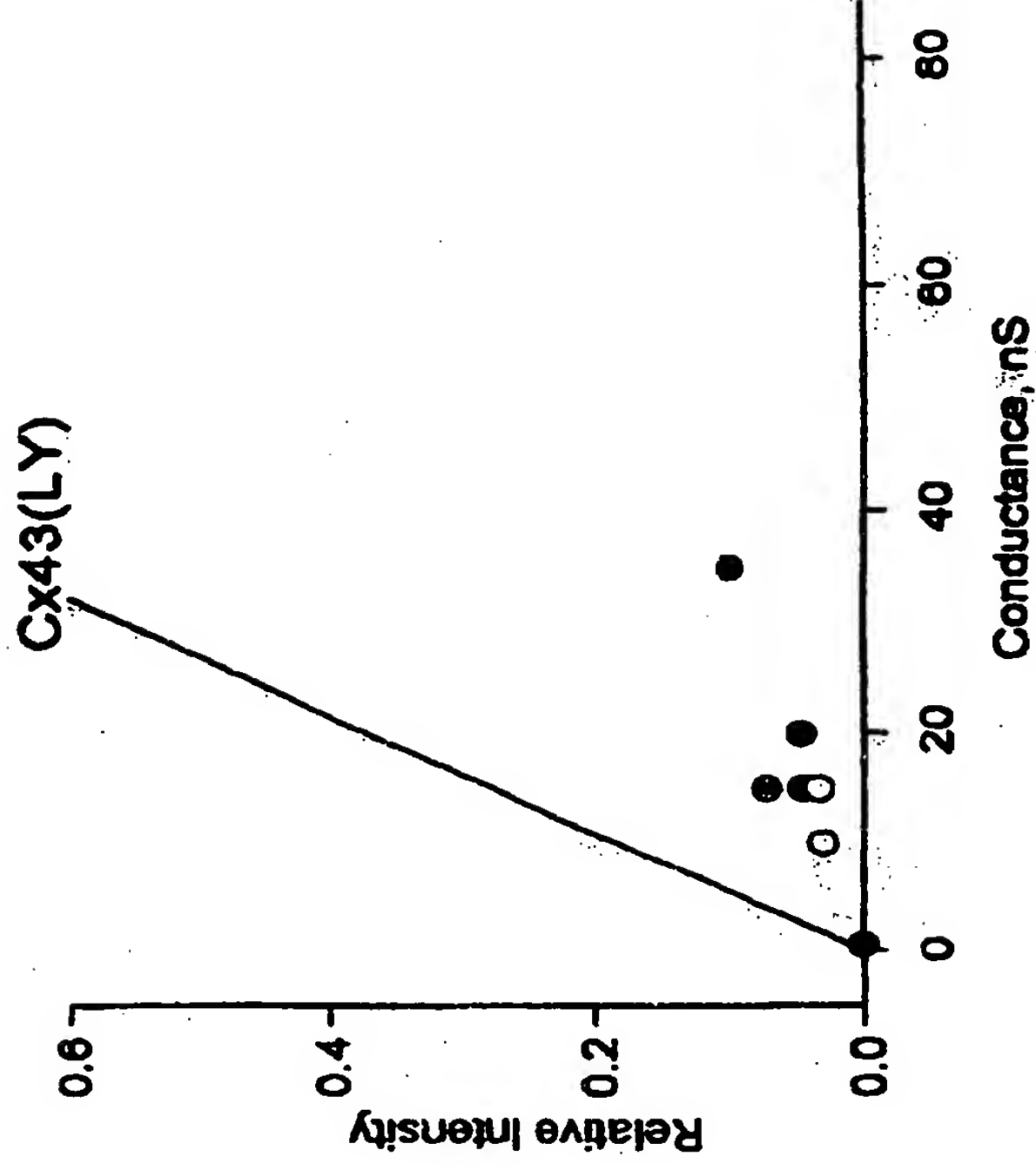
**Figure 1**

**BEST AVAILABLE COPY**

**A**



**B**



- 12 mer
- 16 mer
- 24 mer
- 12 mer hybridized
- Mean ± S.E.

Figure 2